

Appl. No 10/642,834

Amdt. Dated

Reply to Office action of 07/21/2004

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### **REMARKS/ARGUMENTS**

Claims 1-5 have been amended appropriately to overcome the indefiniteness as pointed out by the Examiner, and the specification has been amended correspondingly to comply with the amended claims.

Claims 2 and 3 have been added to claim 1 in order to further narrow  
10 the scope of claim 1.

The Examiner pointed out claims 1-4 are rejected as being unpatentable over Howell (US 4197647) in view of Massari, Jr. et al (US 4688710). However, as claimed by the present invention that the width of the drive channel can be adjusted by using the adjusting bolt to adjust the push  
15 plate, so as to firmly position the different sized nails. The push plate of the present invention is laterally adjustable and moveable in the track so as to change the width of the drive channel. However, the push plate of Howell is biased longitudinally so as to push the strip of fasteners along the track, or the push plate can be releasably latched in an inoperative position so as to  
20 facilitate loading a strip of collated fasteners into the tool. The objective of Howell is to facilitate loading a strip of collated fasteners into the tool.

In view of the foregoing amendments and arguments, applicant submits that the application is now in a condition for allowance and such

action is respectfully requested. If any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, he is urged to contact Applicant's attorney at the exchange listed below.

5            Thereby, the applicant submits the present invention is structurally and functionally patentable over the cited reference.

Applicant respectfully request that a timely Notice of Allowance be issued in this case.

Courtesy, cooperation and skill of Examining Attorney Nathaniel C. CHUKWURAH are appreciated and acknowledged.

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Respectfully submitted,

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